

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED
FEB . 1 2019
Clerk, U.S. Courts
District Of Montana
Missoula Division

In re: NIKITA OZKAN

CV 18-167-M-DLC-JCL

ORDER

United States Magistrate Judge Jeremiah C. Lynch entered his Findings and Recommendations on January 3, 2019, recommending Nikita Ozkan's complaint be dismissed for failure to state a claim upon which relief may be granted. (Doc. 5 at 2.) Ozkan did not object to the Findings and Recommendations and so has waived the right to de novo review thereof. 28 U.S.C. § 636(b)(1)(C). Absent objection, this Court reviews findings and recommendations for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted). Reviewing for clear error and finding none,

IT IS ORDERED that Judge Lynch's Findings and Recommendations (Doc. 5) are ADOPTED IN FULL. Ozkan's Complaint (Doc. 2) is DISMISSED for failure to state a claim on which relief may be granted.

IT IS FURTHER ORDERED that the clerk of court is directed to enter judgment by separate document.

DATED this 1st day of February, 2019.



Dana L. Christensen, Chief Judge
United States District Court